

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

MONTROSE P. FORD,

Plaintiff,

vs.

Civil Action 2:11-CV-1139

Judge Sargus

Magistrate Judge King

MICHAEL J. ASTRUE, Commissioner
of Social Security,

Defendant.

REPORT AND RECOMMENDATION

Plaintiff filed a motion for attorney fees under the Equal Access to Justice Act, 28 U.S.C. § 2412. Doc. No. 18. The parties have stipulated that plaintiff should be awarded fees, costs and expenses in the total amount of \$5,000.00. *Joint Stipulation for an Award of Attorney's Fees under the Equal Access to Justice [Act]*, Doc. No. 19.

It is **RECOMMENDED** that plaintiff be awarded fees, costs and expenses, under the Equal Access to Justice Act, in the total amount of \$5,000.00.

If any party seeks review by the District Judge of this *Report and Recommendation*, that party may, within fourteen (14) days, file and serve on all parties objections to the *Report and Recommendation*, specifically designating this *Report and Recommendation*, and the part thereof in question, as well as the basis for objection thereto. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b). Response to objections must be filed within fourteen (14) days after being served with a copy thereof. Fed. R. Civ. P. 72(b).

The parties are specifically advised that failure to object to the *Report and Recommendation* will result in a waiver of the right to *de novo* review by the District Judge and

of the right to appeal the decision of the District Court adopting the *Report and Recommendation*. See *Thomas v. Arn*, 474 U.S. 140 (1985); *Smith v. Detroit Fed'n of Teachers, Local 231 etc.*, 829 F.2d 1370 (6th Cir. 1987); *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981).

Date: May 30, 2013

s/Norah McCann King
Norah McCann King
United States Magistrate Judge